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## INDETERMINATE SENTENCE AND PAROLE IN INDIANA

suitable place, or it may be held otherwise as the court may direct; provided, however, that nothing in this act shall be held to amend or repeal existing acts or laws relating to sentences to or confinements in the Vermont industrial school, or transfers from that school to jails or penal institutions.

Sec. 11. The court may at any time require from a private institution, association or person receiving or desiring to receive children under the provisions of this act, such reports, information and statements as the judge deems proper and necessary for his action, and the court shall in no case be required to commit a child to the care of a person, association or institution whose standing, conduct or care of children, or ability to care for the same, is not satisfactory to the court.

Sec. 12. In a case in which the court finds a child neglected, dependent or delinquent, it may in the same or subsequent proceedings, upon the summoning or volunteer appearance of the parents of the child, or either of them, proceed to inquire into the ability of such parent or parents to support the child or contribute thereto, and if the court finds such parent or parents able to support the child or contribute thereto, the court may enter such order or decree as shall be according to equity in the premises, and may enforce the same by execution, or in any way in which a court of equity may enforce its orders or decrees; and no property of such parent or parents, or either of them, shall be exempt from levy and sale under such execution. Such parents or either of them shall have the right to an appeal to the county court from the order of the probate court.

Sec. 13. The fees of officers and courts incident to proceedings under this act shall be paid by the state, provided that in proceedings under section 12 of this act the court may, in its discretion, assess costs against such parents, and in the case of an appeal to the county court from the action of the probate court in proceedings under this act, the county court may, in its discretion assess such costs against the appellant as are deemed just.

Sec. 14. Nothing in this act shall be construed to repeal any portion of the criminal law of this state, nor of any law concerning or affecting minors, except such portions thereof as are in conflict with the provisions of this act, and all such portions are hereby repealed.

Sec. 15. This act shall be liberally construed to the ends that its purpose may be carried out; that the care, custody and discipline of a child shall approximate, as nearly as may be, that which should be given by its parents; and that the restraint of a delinquent child shall tend rather toward his reformation than to his punishment as a criminal.

Approved January 23, 1913.

R. H. G.

**The Indeterminate Sentence and Parole Laws in Indiana.**—The indeterminate sentence and parole laws have been on the statute books of Indiana since 1897. As first enacted, only the state prison at Michigan City and the reformatory at Jeffersonville were affected, but the legislature of 1899 extended their benefits to the woman's prison at Indianapolis. They apply to all men over sixteen years of age and all women over seventeen years, unless convicted of treason or murder in the first or second degree. Between the minimum and maximum terms of imprisonment prescribed by law as a penalty for the crime committed, prisoners serving an indeterminate sentence may be conditionally released by the

## INDETERMINATE SENTENCE AND PAROLE IN INDIANA

parole board of the respective institutions, consisting of the board of trustees at the reformatory and state prison, the trustees, superintendent, chaplain and physician at the woman's prison. The state prison parole board originally was composed of the trustees, the warden, chaplain and physician, but the legislature of 1907 changed the law to conform to that of the Reformatory. Prisoners who have served their minimum term are eligible to parole if in the judgment of the parole board there is reasonable probability that they can live at liberty without violating the law. Paroled prisoners may be held under supervision until the expiration of the maximum term; at the same time the parole board has authority to grant an absolute discharge whenever it appears not incompatible with the welfare of society. In actual practice paroled prisoners who have complied with the conditions of their release are usually discharged at the end of one year.

Up to September 30, 1912, the reformatory, the state prison and the woman's prison had granted conditional releases to 6,945 of their prisoners. Sooner or later the terms of all these prisoners would have expired and they would have left the institution free men and women; but going out as they did under the parole law they remained under the control of the state until they gave satisfactory proof of their reformation and their ability to maintain themselves. By paroling them and exercising over them such supervision as was necessary until they became rehabilitated, the state saved to useful citizenship many who might have continued in criminal ways and become a menace to the public welfare.

The reports to the Board of State Charities indicate that of the 6,945 paroled prisoners, 4,000 completed the parole period to the satisfaction of those in charge and were released from supervision. An additional 449 were discharged because the maximum limit of their sentence was reached during the parole period. At the close of the fiscal year, 573 were under supervision and reporting to the authorities and 120 had died. These various classes make a total of 5,142. The remaining 1,803 are the failures, those who are known to have broken faith. They constitute 25.9 per cent of the whole number paroled. Every effort is made by the authorities to apprehend these delinquents. Up to September 30 they had returned 1,024 to the institutions, but 779 were still at large.

The appended table in the report sets forth in separate columns the results of these laws in the three institutions to which they are applicable. The reformatory, up to the close of the year, had paroled 4,171 young men and its unsatisfactory cases numbered 1,087, or 26 per cent. Of the 2,580 men paroled from the state prison, 659 or 25.5 per cent proved delinquent. The woman's prison paroled 194 women, of whom 57 or 29.3 per cent proved delinquent.

The records show that the system is as great a success financially as otherwise. The prisoners, during the time they were under supervision, never less than a year, reported earnings for themselves amounting to \$1,886,995.53 and expenses amounting to \$1,568,466.66, these reports being certified by their employers. These ex-prisoners, therefore, not only were self-sustaining, but had on hand or due them when they ceased reporting a total of \$318,528.87. Had they remained in prison, their maintenance

## "FIRST AID" TO JUSTICE

for one year would have cost the state, at the average per capita expense, the additional sum of \$1,152,555.80.

A. W. BUTLER, Secretary State Board of Charities, Indianapolis.

**Law Relating to Social Vice in Kansas.**—A stringent bill became law in Kansas March 30, 1913 (H. B. 40) which makes it a felony—1 to 5 years—at hard labor to entice or detain any female for prostitution, concubinage, or fornication. It makes the keeper of any house for immoral purposes equally guilty, and makes owner of such premises, after notice, guilty also. It voids the lease of any tenant who uses premises for such purpose, authorizes injunction in the name of the state to vacate place of prostitution, and makes it a misdemeanor to solicit any male person to enter such place.

J. C. RUPPENTHAL, Judge 23rd District, Russell, Kans.

**"First Aid" to Justice.**—A splendid illustration of what can be accomplished through the frank, free, sympathetic co-operation of a group of citizens, with judges, magistrates, probation officers, public officials and religious and charitable agencies, working harmoniously together, actuated by a common purpose, and with no private end to serve, is afforded in the work of the Committee on Criminal Courts of the Charity Organization Society of New York, which has just completed a second year of its activity.

The year has been one of definite accomplishment, of strengthening of relations, of a broader appreciation of the newer ideals of social justice, of a changed point of view on the part of the courts, it is not too much to say—of the dawn of a new era in the treatment of the minor offender.

It has seen the practical abolition of the system of fining women of the street, that ancient evil, preposterous in its inner significance, but an evil that still prevails in nearly all other American cities; the year has seen the beginning of a proper system of identification of convicted offenders, thus making possible their rational treatment by the separation of the first offender from the chronic "rounder"; through this step the door has been opened to a more humane treatment of inebriates and a more intelligent grappling with the problem of vagrancy; ultimately it will make possible the treatment of each offender with relation to what will restore him to his position as a useful member of society or keep him as such; not punishment, but rehabilitation.

The year has seen the development of the work in the Children's Courts by leaps and bounds. In the words of Justice Hoyt of that court: "The last eight months' advance has been far greater than any similar advance in any previous eight years." A new children's court building centrally located in a quiet neighborhood has been assured, and is now being constructed from plans that will make it a model for all other cities: For the first time, the Children's Courts have been equipped with a paid staff of probation officers devoting their whole time to the work; starting at the beginning of the year with 20 officers, we have just begun to learn how far short of real probation work the work of the court has hitherto been, notwithstanding the deep interest of the judges and the devoted service of the small group of volunteer workers attached to the court; with 20 probation officers as a nucleus, a comprehensive plan of probation work has